

# Exhibit G

## Cuomo Lawyers Hit Back as Aide Who Says He Groped Her Files Complaint

The criminal complaint from the woman, an executive assistant whose name has not been publicized, increases the possibility that Gov. Andrew Cuomo could face charges.



By Jonah E. Bromwich and Luis Ferré-Sadurni

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*[New York Gov. Andrew Cuomo will resign after sexual harassment investigation.]*

On the day news broke that a woman who has accused Gov. Andrew M. Cuomo of groping her breast had filed a formal criminal complaint against him, his lawyers responded with their most detailed defense of the governor yet and sought to cast doubt on key parts of the woman's story.

In a news conference streamed online, the governor's personal lawyer, Rita Glavin, suggested that the woman, an executive assistant who has not been named, was not alone with Mr. Cuomo at the Executive Mansion on the day in question, was sent there for different reasons than she has said and had expressed no qualms about the day in emails to colleagues.

Ms. Glavin's focus on the unnamed executive assistant highlighted the danger the assistant's account poses for Mr. Cuomo and the possibility that it could lead to criminal charges.

Ms. Glavin and lawyers for the executive chamber also used the news conference to question the fairness of a report released this week by the New York state attorney general, Letitia James, that accused the governor of sexually harassing the woman and 10 others, and questioned the impartiality of the investigators who compiled it.

"I know the difference between putting together a case against a target versus doing independent fact finding with an open mind," Ms. Glavin said. "There has been no open-minded fact finding here."

In response to the lawyers' news conference, a spokesman for the attorney general, Fabien Levy, defended the office's investigators in a statement, characterizing the response from Mr. Cuomo's lawyers as an attempt to "undermine and politicize" the inquiry that Mr. Cuomo himself had authorized Ms. James to supervise.

"There are 11 women whose accounts have been corroborated by a mountain of evidence," Mr. Levy said. "Any suggestion that attempts to undermine the credibility of these women or this investigation is unfortunate."

Debra S. Katz, a lawyer for Charlotte Bennett, one of Mr. Cuomo's accusers, said that Mr. Cuomo had asked the public to reserve judgment until the report was released — and now that it had been, he was calling it "biased."

"Just as he was prone to gaslight the women and make them think it was their imagination that he was crossing the line, he thinks he's going to pull this off with the public," Ms. Katz said. "It's absurd."

The lawyers' news conference came as calls for Mr. Cuomo to resign escalated, with 42 of the state's 62 Democratic county chairs asking him in a statement to leave office and a Quinnipiac poll finding that he had his lowest approval rating since taking office in 2011, and that 70 percent of New Yorkers and 57 percent of Democrats believed he should step down.

The governor is also facing the threat of impeachment in the State Assembly, which is rushing to wrap up its own investigation into Mr. Cuomo as it prepares to draft articles of impeachment against him.

The executive assistant filed her complaint with the Albany County sheriff's office, the office and her lawyer, Brian Premo, said Friday. Mr. Premo pushed back against Ms. Glavin's assertion that Mr. Cuomo could not have been alone with his client on the day the incident occurred — noting, as the report does, that she did not recall the precise day she said Mr. Cuomo groped her.

The Albany County district attorney, David Soares, is one of five prosecutors who have indicated since the report's release that their offices are investigating the governor's conduct. A spokeswoman for Mr. Soares declined to comment on the criminal complaint after The New York Post reported on it Friday, saying only that the investigation was "an ongoing matter that is under review."

Legal experts have said that Mr. Cuomo's conduct toward the assistant, as described in the attorney general's report, could be charged as forcible touching, a misdemeanor that carries a penalty of up to one year in prison.

The governor, a third-term Democrat who is also facing the threat of a lawsuit from another accuser, has repeatedly denied ever inappropriately touching the woman, or any of the others who have accused him of sexual misconduct.

Daniel Richman, a former prosecutor who teaches criminal law at Columbia Law School, said in an interview that the filing of a criminal complaint did not oblige law enforcement authorities to zealously pursue a case.

“There are many highly inappropriate and indeed reprehensible actions that an employer can take — that very much amount to sexual harassment or inappropriate contact — that will not normally be pursued criminally by a D.A.’s office,” he said.

He added, “The D.A.’s office will have to take care here neither to cut the governor a break because of his position nor to single him out.”

The executive assistant told investigators that the governor had acted inappropriately toward her since 2019, kissing and hugging her in ways that she found uncomfortable. His advances toward her culminated last November in the episode at the mansion, in which he reached under her blouse and grabbed her breast, she told investigators.

The governor denied to investigators that he had touched her inappropriately.

The woman told the attorney general’s investigators in an interview that she had been summoned to the mansion by Stephanie Benton, the governor’s office director. She said that she had just finished an assignment and was preparing to leave when the governor pulled her in for a close hug.

When she stepped away, she said, the governor slammed the door shut, advanced toward her, slid his hand up her blouse and cupped her breast. The woman said she pulled away again and told Mr. Cuomo, “You’re crazy.”

“At that moment it was so quick, and he didn’t say anything and I just remember thinking to myself, oh, my God, and I remember stopping and him not saying anything, and I remember I walked out and he didn’t say anything and I didn’t say anything,” she told investigators.

She did not immediately report what had happened, she said, in part because she was “terrified” that she would lose her job, which she described as the “opportunity of a lifetime for me.”

But a few months later, after the governor denied in a news conference in March that he had ever touched anyone inappropriately, she told several other executive assistants, who then reported the incident to Judith L. Mogul and Beth Garvey, lawyers for the governor. The following day, The Times Union of Albany published an article about the allegation.

Ms. Glavin sought to cast doubt on the executive assistant’s allegation on Friday, citing contemporaneous emails and logs to argue that Mr. Cuomo was busy at work, mostly on phone calls, and surrounded by top staff members on Nov. 16, the only day she said the assistant was at the Executive Mansion in November, and around the same time the assistant told investigators the incident had taken place.

“This woman’s story, which is stated as fact in the report, is false,” Ms. Glavin said.

Mr. Premo, the executive assistant’s lawyer, said that his client had told investigators that she did not recall the exact date of the incident.

“Talking about a day when the incident did not happen is a fool’s errand,” he said.

Ms. Glavin also said that the governor would “soon” address allegations in the report from a female state trooper assigned to Mr. Cuomo’s protective detail who told investigators that Mr. Cuomo had run his hand across her stomach when she held the door open for him at an event and had run his finger down her spine in an elevator.

The report said that the trooper, who told investigators she felt “completely violated,” was transferred to the governor’s detail at his request after he briefly met her at an event.

“The report suggested that the governor singled her out and wanted her on the detail because of some improper motive,” Ms. Glavin said.

Instead, she argued, Mr. Cuomo was interested in adding more women to his detail to increase its “diversity.” He found the trooper impressive, she said, because “he liked how she maintained eye contact, he liked that she was assertive with him in the conversations.”

A lawyer for another of Mr. Cuomo’s accusers, Lindsey Boylan, said earlier this week that Ms. Boylan would file a lawsuit against Mr. Cuomo and his top aides for retaliating against her after she publicly accused him of sexual harassment.

Ms. Glavin suggested at the news conference, as Mr. Cuomo and his aides have in the past, that Ms. Boylan had used her accusations against the governor to promote her unsuccessful candidacy for Manhattan borough president.

“We will not be intimidated,” Ms. Boylan tweeted in response.

Mariann Wang, a lawyer for two of the women who accused Mr. Cuomo of harassment, Alyssa McGrath and Virginia Limmiatis, said the governor’s response to the report on Friday “once again misses the mark.”

“Of course Cuomo’s lawyers try to pick at minor issues without addressing the numerous other witnesses, facts and evidence which support both Ms. Boylan and Executive Assistant No. 1,” Ms. Wang said, “much less the nine other women who were found to be credible who reported his unlawful behavior.”